

**HUDSON  
35457-071601**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***JULY 16, 2001  
2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**1. Call to Order--Roll Call. Council Member Harris was absent.**

The Invocation was delivered by The Reverend James Beatty, Pastor, Bethel AME Church, Cave Spring.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

## **NOTICE:**

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, July 19, 2001, at 7:00 p.m., and Saturday, July 21, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [www.roanokegov.com](http://www.roanokegov.com), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.**

## **PRESENTATIONS:**

A RESOLUTION expressing sympathy to the congregation of Virginia Heights Baptist Church and their pastor, our fellow Council Member C. Nelson Harris.  
**Adopted Resolution No. 35457-071601. (6-0)**  
**File #20-132-215-367**

## **2. CONSENT AGENDA**

**(APPROVED 6-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 A communication from Council Member William White, Sr., Chair, Audit Committee, requesting that Council convene in Closed Session to discuss appointment of a new Municipal Auditor, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION:** Concur in request.  
**File #132-280**

- C-2 A communication from the City Attorney requesting that Council convene in Closed Session to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION:** Concur in request.  
**Withdrawn by City Attorney.**

- C-3 A communication from Edward A. Natt, Attorney, representing Southside Development Company, requesting that Council authorize the City Clerk to advertise a public hearing for Monday, August 6, 2001, at 2:00 p.m., or as soon thereafter as the matter may be heard, on the request of his client to rezone property located at the southeast terminus of Bean Street, N. W., from C-1, Office District, to LM, Light Manufacturing District.

RECOMMENDED ACTION: Concur in request.

**File #51**

- C-4 A communication from the City Manager recommending that the City Clerk be authorized to advertise a public hearing for Monday, August 6, 2001, at 2:00 p.m., or as soon thereafter as the matter may be heard, to consider entering into a new lease for the building located at 3379 Colonial Avenue, S. W.

RECOMMENDED ACTION: Concur in recommendation.

**File #166-373**

- C-5 Qualification of the following persons:

Sharon Hicks as a member of the Youth Services Citizen Board for a term ending May 31, 2004;

George Kegley as a member of the Roanoke Arts Commission for a term ending June 30, 2002; and

William E. Skeen as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2005.

RECOMMENDED ACTION: Receive and file.

**File #15-230-304-429**

## **REGULAR AGENDA**

### **3. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

- a. Presentation by representatives of 21<sup>st</sup> Century Challenge, a program created by Habitat for Humanity International. Bill Poe and Ted Edlich, Spokespersons.

**Received and filed.  
File #178-226-399**

- b. Presentation by Vital Signs in regard to the New Technology Corridor. Priscilla Richardson, MA, JD Vital Signs Representative.

**Received and filed.  
File #545**

### **4. PETITIONS AND COMMUNICATIONS: NONE.**

### **5. REPORTS OF OFFICERS:**

- a. CITY MANAGER:

**BRIEFINGS: NONE.**

**ITEMS RECOMMENDED FOR ACTION:**

1. A communication with regard to performing Third Party Administrator functions by Landin, Inc., for Workers' Compensation for the City of Roanoke, in the amount of \$40,000.00 per annum.

**Tabled until the regular meeting of Council on Monday,  
August 6, 2001, at 2:00 p.m.  
File #63-184**

2. A communication with regard to reassignment of Management Services functions to the Department of General Services and the Department of Technology.

**Adopted Budget Ordinance No. 35458-071601. (6-0)  
File #45-60-301**

3. A communication recommending that the City Manager be authorized to accept the bid of McNeil Asphalt Maintenance, Inc., for repairing, resurfacing, and restriping tennis and basketball courts in the City, in the amount of \$99,900.00; and appropriation of funds.

**Adopted Budget Ordinance No. 35459-071601 and Ordinance  
No. 35460-071601. (6-0)  
File #60-67**

4. A communication recommending acceptance of bids submitted by GTSI Corporation for the purchase of mobile computers and Motorola, Inc., for the purchase of vehicle radio modems and test messengers for use by the Police and Fire Departments; and appropriation of funds.

**Adopted Budget Ordinance No. 35461-071601 and  
Resolution No. 35462-071601. (6-0)  
File #5-60-70-472**

**The question of including line items in the City's fiscal year budget for technology upgrades, vehicle replacement and other items was referred to the City Manager and to fiscal year 2001-02 budget study.**

**File #60-301-472**

5. A communication recommending acceptance of bids submitted by Magic City Motor Corporation and Roanoke Welding Company for trucks and related equipment for the Streets and Traffic Department, in the total amount of \$241,558.00.

**Adopted Resolution No. 35463-071601. (6-0)  
File #20-472-514**

6. A communication recommending acceptance of exercise equipment, valued at \$20,000.00, from the Roanoke Association Chapter of the Virginia Police Benevolent Association, Inc.

**Adopted Resolution No. 35464-071601. (6-0)  
File #5-80-472**

7. A communication recommending acceptance of the Urban and Community Forestry Grant, in the amount of \$13,674.00.

**Adopted Budget Ordinance No. 35465-071601 and  
Resolution No. 35466-071601. (6-0)  
File #60-236-240**

8. A communication in connection with funding recommendations of the Human Services Committee for qualified agencies for fiscal year 2001-02.

**Adopted Budget Ordinance No. 35467-071601 and Resolution No. 35468-071601. (5-0 - Council Member Bestpitch abstained from voting inasmuch as his spouse is employed by the YMCA, one of the organizations recommended for funding by the Human Services Committee.)  
File #60-72-110**

b. DIRECTOR OF FINANCE:

1. A report recommending adoption of measures to reappropriate funds into the current year budget in order that certain encumbrances may be properly liquidated.

**Adopted Budget Ordinance Nos. 35469-071601, 35470-071601, 35471-071601, 35472-071601, 35473-071601, 35474-071601, 35475-071601 (6-0) and 35476-071601 and 35477-071601. (5-0 - Council Member Wyatt abstained from voting inasmuch as she is employed by the Roanoke City Public School System.)  
File #60**

c. CITY ATTORNEY:

1. A report with regard to amendment to the Sewer Use Standards.

**Adopted Ordinance No. 35478-071601. (6-0)  
File #24-27**



## **6. REPORTS OF COMMITTEES:**

- a. A report of the City Planning Commission recommending that Washington Park be renamed Booker T. Washington Park as requested by a citizen committee and the Department of Parks and Recreation. D. Kent Chrisman, Chair.

**Adopted Resolution No. 35479-071601. (6-0)  
File #67**

- b. A report of the City Planning Commission recommending that Ferndale Drive from extended Ordway Drive to its terminus be renamed Ordway Drive, N. W., and that there be no change in the name of Ferndale Drive from Ferncliff Avenue to the cul-de-sac. D. Kent Chrisman, Chair.

**Adopted Resolution No. 35480-071601. (6-0)  
File #85-514**

## **7. UNFINISHED BUSINESS: NONE.**

## **8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

- a. Ordinance No. 35438, on second reading, authorizing the City Manager to execute an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located at 506 Church Avenue and the adjoining lot, bearing Official Tax Nos. 1113419 and 1113418, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions.

**Adopted Ordinance No. 35438-071601. (5-0 Council Member Bestpitch abstained from voting inasmuch as his spouse is employed by the YMCA.)  
File #100-166**

## **9. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Hudson commended The Roanoke Times on sponsoring the "Music for Americans" celebration which was held at Victory Stadium on July 4.**

**File #87-132**

**Vice-Mayor Carder referred to the proposed timetable for repairs to the City's skateboard park which will be completed on or about August 30, 2001.**

**File #67**

**Vice-Mayor Carder referred to concerns expressed by citizens regarding the removal of basketball goals on City property adjacent to residential homes, and requested that the City Attorney research the question of whether the City could be indemnified against liability, upon application by the property owner.**

**File #51-66**

**Following questions and comments by Council Members, the City Manager presented an update on revisions to the City's solid waste collection program which was implemented on July 1.**

**File #144**

**The Mayor called attention to a recent visit to the flood ravaged areas of West Virginia; whereupon, he requested an update by the City Manager on the City of Roanoke's emergency disaster plan.**

**File #188-237**

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

## **10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**Ms. Josephine Hutcheson, 1111 Loudon Avenue, N. W., and Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., addressed Council in opposition to curbside refuse collection.**

**File #66-144**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**CERTIFICATION OF CLOSED SESSION.**

**THE MEETING OF ROANOKE CITY COUNCIL WILL BE DECLARED IN RECESS TO BE RECONVENED AT 5:00 P.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, FOR A JOINT MEETING OF ROANOKE CITY COUNCIL AND THE ROANOKE CIVIC CENTER COMMISSION.**

**FOLLOWING THE SESSION OF COUNCIL AND THE CIVIC CENTER COMMISSION, THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 7:00 P. M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***JULY 16, 2001  
7:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**Call to Order -- Roll Call. Council Members Carder and Harris were absent.**

The Invocation was delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

**NOTICE:**

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## **A. PUBLIC HEARINGS:**

1. Public hearing on the request of Lee Hi Land Group on the question of amending proffered conditions presently binding upon a tract of land lying on the north side of Orange Avenue, N. E., Official Tax No. 7140114, as set forth in Ordinance 33516-080497, adopted on August 4, 1997. Bob Copt, Managing Partner, Spokesperson.

**Inasmuch as the petitioner was not present to respond to questions, the matter was tabled.**

**File #51**

2. Public hearing on the request of the Ridge Small Business Development Center, Inc., d/b/a The New Century Venture Center, for designation of property located at 1354 Eighth Street, S. W., to be exempted from taxation. Lisa Ison, President, The New Century Venture Center, Spokesperson.

**Adopted Resolution No. 35481-071601. (5-0)**

**File #79**

3. Public hearing on the proposal of the City of Roanoke to convey approximately 1,000 square feet, more or less, of City-owned property located in Garden City Park, described as a strip of land approximately 100' x 10' between the creek and the rear property line of Official Tax No. 4390812, being a portion of Official Tax No. 4390619, to Cheryl Marie Proctor Chandler, 3655 Ventnor Road, S. E., upon certain terms and conditions. Darlene L. Burcham, City Manager, Spokesperson.

**Withdrawn by City Manager.**

4. Public hearing with respect to the proposed adoption of a resolution authorizing the City of Roanoke to contract a debt and to issue general obligation public improvement bonds of the City and in anticipation of the issuance thereof general obligation public improvement bond anticipation notes of the City, in the principal amount of \$31,245,000.00, for the purpose of providing funds to pay the costs of acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City. Darlene L. Burcham, City Manager; and James D. Grisso, Director of Finance, Spokespersons.

**The resolution was lost on a 3-1-1 vote of Council.  
File #53**

5. Public hearing on the proposal of the City of Roanoke to convey to Trigon Insurance Company certain City owned property identified as Official Tax Nos. 4016001, also known as Key Plaza, and 4016003, located on Franklin Road, S. W. Darlene L. Burcham, City Manager, Spokesperson.

**Adopted Ordinance No. 35482-071601. (5-0)  
File #166-501**

## **B. OTHER HEARING OF CITIZENS:**

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**Mr. Woodrow Hickman, 1010 Norfolk Avenue, S. W., addressed Council in opposition to curbside refuse collection.  
File #66-144**

**Jeff Artis, Chair, Roanoke Southern Christian Leadership Conference, advised that in view of two reported cases of alleged police brutality and other information compiled by the SCLC over the past several years concerning Roanoke's law enforcement personnel, the SCLC will formally request the U. S. Department of Justice to investigate all Roanoke City law enforcement agencies, including the Police Department, Sheriff's Department and Commonwealth Attorney's Office.**  
**File #5-66-121-133**

**Preston Moore, Ombudsman for the Commonwealth of Virginia for Women, Minorities, Children and the Disabled, as appointed by SCLC President, Herbert Coulton, spoke in support of the remarks of Mr. Artis, and suggested that a Member of Council convene a meeting of appropriate persons to investigate activities of Roanoke's law enforcement agencies.**  
**File #5-66-121-133**

**Mr. Robert Gravely, 617 Hanover Avenue, N .W., addressed Council with regard to City issues of concern, specifically, insufficient wages for the City work force and the high real estate tax rate in the City of Roanoke which makes it difficult for the average worker to purchase a home.**  
**File #66-79-184**

**Mr. George Gunther, P. O. Box 12353, expressed concern in regard to alley closings in the City which will eliminate rear access to private residences by emergency vehicles. Instead of closing the alleys, he suggested that alleys be widened to allow for improved access and cleared of debris to eliminate health and safety hazards.**  
**File #66-514**

**The Council meeting was declared in recess.**

**Certification of Closed meeting. (5-0)**

**The Council meeting was declared in recess until Monday, July 30, 2001, at 12:15 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Ave, S. W.**